

1
2 FILED ENTERED
3 LODGED RECEIVED
4

5 DEC 18 2019
6
7 BY CLERK U.S. DISTRICT COURT
8 AT SEATTLE
9 WESTERN DISTRICT OF WASHINGTON
10 DEPUTY

11 UNITED STATES DISTRICT COURT FOR THE
12 WESTERN DISTRICT OF WASHINGTON
13 AT SEATTLE

14 UNITED STATES OF AMERICA,
15 Plaintiff

16 NO. CR 19-259 JCC

17 INFORMATION

18 v.

19 RYAN S. HERNANDEZ,
20 also known as “RyanRocks,”
21 also known as “Ryan West,”
22 Defendant.

23 The United States Attorney charges that:

24 **COUNT 1**

25 **(Computer Fraud and Abuse)**

26 1. The defendant, RYAN S. HERNANDEZ, also known as “RyanRocks” and
27 “Ryan West,” a resident of Palmdale, California, committed the successful intrusion of
28 protected computers and servers of a victim company, namely, Nintendo Co., Ltd., and
its U.S. subsidiary, Nintendo of America (collectively, “Nintendo”). RYAN S.
RYAN S. HERNANDEZ targeted Nintendo and specifically data and files related to its array of
video games and consoles.

1 2. RYAN S. HERNANDEZ, through the use of stolen credentials and
 2 certificates, accessed without authorization various protected servers belonging to
 3 Nintendo, including multiple servers located in the Western District of Washington and
 4 elsewhere.

5 3. Through such unauthorized server access, RYAN S. HERNANDEZ
 6 downloaded thousands of files, including proprietary developer tools and non-public
 7 information relating to pre-release or unreleased products and pre-production testing and
 8 development of various retail titles.

9 4. RYAN S. HERNANDEZ both used the stolen data and files for his own
 10 purposes, including to modify Nintendo consoles and to access pirated and unreleased
 11 video games, and further disseminated to others stolen data and information about
 12 Nintendo's internal computer network and its products.

13 5. Beginning in or about June 2018, and continuing until at least on or about
 14 June 19, 2019, at Redmond, within the Western District of Washington, and elsewhere,
 15 the defendant, RYAN S. HERNANDEZ, intentionally accessed a computer without
 16 authorization, to wit, a server containing information belonging to Nintendo, and thereby
 17 obtained information from a protected computer, and the value of the information
 18 obtained exceeded \$5,000.

19 All in violation of Title 18, United States Code, Section 1030(a)(2)(C) and
 20 (c)(2)(B)(iii).

ASSET FORFEITURE ALLEGATION

21
 22 6. The allegations contained in Count 1 of this Information are hereby
 23 realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to
 24 Title 18, United States Code, Sections 982(a)(2)(B) and 1030(i). Upon conviction of the
 25 offense charged in Count 1, the defendant, RYAN S. HERNANDEZ, shall forfeit to the
 26 United States any property constituting, or derived from, proceeds he obtained, directly
 27 or indirectly, as the result of the offense. The defendant shall also forfeit his interest in
 28

1 any personal property that he used or intended to use to commit or to facilitate the
2 commission of the offense, including but not limited to:

- 3 a. One Seagate external hard drive, serial no. Z84112WS;
- 4 b. One Apple Macbook, serial no. C02MN8TDFD57;
- 5 c. Nintendo Switch console, serial no. XAW10001300634;
- 6 d. Nintendo Switch console serial no. XAW10021377616;
- 7 e. IS-Nitro-Emulator, serial no. 08050639); and
- 8 f. NDEV wireless device, serial no. NMA20089065).

9 7. **Substitute Assets.** If any of the above-described forfeitable property, as a
10 result of any act or omission of the defendant,

- 11 a. cannot be located upon the exercise of due diligence;
- 12 b. has been transferred or sold to, or deposited with, a third party;
- 13 c. has been placed beyond the jurisdiction of the Court;
- 14 d. has been substantially diminished in value; or
- 15 e. has been commingled with other property which cannot be divided
16 without difficulty;

17 ///

18 ///

19 ///

1 it is the intent of the United States to seek the forfeiture of any other property of the
2 defendant up to the value of the above-described forfeitable property pursuant to Title 21,
3 United States Code, Section 853(p).

4

5 DATED this 17th day of December, 2019.

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

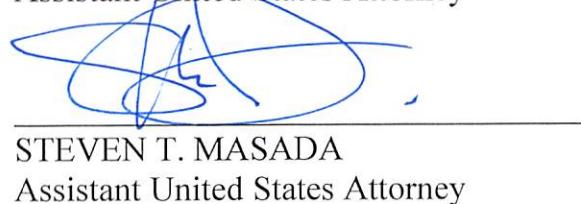
26

27

28


BRIAN D. MORAN
United States Attorney


ANDREW C. FRIEDMAN
Assistant United States Attorney


STEVEN T. MASADA
Assistant United States Attorney